

**UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT**

N.Y.S.D. Case #  
13-mj-2814(LAP)

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 23<sup>rd</sup> day of May, two thousand and eighteen.

Present: Gerard E. Lynch,  
Susan L. Carney,  
*Circuit Judges,*  
Victor A. Bolden,  
*District Judge.\**

**USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:** \_\_\_\_\_  
**DATE FILED:** May 23, 2018

In the matter of a Warrant to Search a certain E-mail account controlled and maintained by Microsoft Corporation,

**ORDER**

Microsoft Corporation,

Docket No. 14-2985

Appellant,

v.

United States of America,

Appellee.

In light of the Supreme Court's decision in *United States v. Microsoft Corp.*, 138 S. Ct. 1186 (2018), vacating our prior judgment in this case, *In re Warrant to Search a Certain E-mail Account Controlled and Maintained by Microsoft Corp.*, 829 F.3d 197 (2d Cir. 2016), and directing our further action with respect to the District Court, it is hereby ORDERED that the District Court's contempt finding and denial of Microsoft's motion to quash are VACATED, and the cause is REMANDED to the District Court, with instructions to dismiss the case as moot.

For the Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

 

 

\* Judge Victor A. Bolden, of the United States District Court for the District of Connecticut, sitting by designation.